

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Joint Resolution No. 18, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution be AMENDED as follows:

- 1 Delete the title and insert the following:
- 2 A JOINT RESOLUTION requesting Congress to call a
- 3 constitutional convention for the purpose of proposing amendments to
- 4 the Constitution of the United States concerning limitation of the
- 5 commerce and taxing powers of Congress.
- 6 Page 1, delete lines 1 through 6, begin a new paragraph and insert:
- 7 "SECTION 1. (a) That the General Assembly finds and declares that
- 8 this resolution is passed in accordance with the method provided to
- 9 states in Article V of the Constitution of the United States for
- 10 proposing amendments to the Constitution of the United States.
- 11 (b) That the General Assembly further declares that such a step is
- 12 necessary to restore the operation of the constitutional system of the
- 13 United States according to the intent of those who created it; that is, to
- 14 return to an appropriate balance between the federal government and
- 15 the states by specifically defining, and in so doing, limiting certain
- 16 powers of the federal government.
- 17 (c) That the General Assembly further declares that the convention
- 18 for proposing amendments called for in this resolution shall be
- 19 understood to be strictly confined to consideration of amendments
- 20 concerning the limitation of the commerce and taxing powers of

1 Congress.

2 (d) That the General Assembly further declares that state
3 delegations to an Article V convention for proposing amendments
4 should be limited in size and that for purposes of voting on
5 amendments proposed at such a convention, each state should have one
6 vote, regardless of the size of its delegation.

7 SECTION 2. That the General Assembly of the State of Indiana
8 makes application to the Congress of the United States for a convention
9 under Article V of the Constitution of the United States for the specific
10 and exclusive purpose of proposing amendments to the Constitution of
11 the United States to limit certain powers of Congress.

12 SECTION 3. That this application is for a convention limited to
13 considering and proposing amendments on the following topics:

14 (1) Additional limitation of the power of the Congress to regulate
15 commerce among the several states under Article I, Section 8,
16 Clause 3 of the Constitution of the United States.

17 (2) Additional limitation of the power of the Congress to tax
18 under Article I of the Constitution of the United States and under
19 the Sixteenth Amendment to the Constitution of the United States.

20 SECTION 4. That this application shall be considered an
21 application for a convention to address each of the subjects stated in
22 SECTION 3 of this resolution. For purposes of determining whether
23 two-thirds (2/3) of the states have applied for a convention addressing
24 any subject, this application is to be aggregated with the applications
25 of any other state legislatures limited to one (1) or more of the subjects
26 stated in SECTION 3 of this resolution.

27 SECTION 5. That this resolution is a continuing application and
28 remains in effect until its rescission by the Indiana General Assembly
29 or as otherwise provided by Indiana law. This application does not
30 constitute a recognition that any particular activity or activities
31 currently undertaken by the federal government is or are authorized by
32 the Constitution of the United States.

33 SECTION 6. That the Principal Secretary of the Indiana Senate send
34 certified copies of this resolution to each of the following:

- 35 (1) The President and the Secretary of the United States Senate.
- 36 (2) The Speaker and the Clerk of the House of Representatives of
37 the United States Congress.
- 38 (3) Each of the members of Indiana's congressional delegation.

- 1 (4) The presiding officers of each legislative chamber of the
2 several states, requesting their cooperation."
 (Reference is to SJR 18 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 4.

Long

Chairperson